

EXHIBIT A

Court of Common Pleas of Philadelphia County
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

FEBRUARY 2022**002250**

E-Filing Number: 2202046070

PLAINTIFF'S NAME CAROL OLECKNA		DEFENDANT'S NAME RADIUS HOLDINGS, LLC, F/K/A RADIUS GLOBAL SOLUTIONS, LLC	
PLAINTIFF'S ADDRESS 104 WOODSIDE ROAD HAVERFORD PA 19041		DEFENDANT'S ADDRESS 50 WEST SKIPPAK PIKE AMBLER PA 19002	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 1	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE 4T - TRUTH IN LENDING			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
		FILED PRO PROTHY FEB 22 2022 S. RICE	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>CAROL OLECKNA</u> Papers may be served at the address set forth below.			
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY ANDREW M. MILZ		ADDRESS FLITTER MILZ, P.C. 450 N. NARBERTH AVENUE SUITE 101 NARBERTH PA 19072	
PHONE NUMBER (610) 668-0018	FAX NUMBER (610) 667-0552		
SUPREME COURT IDENTIFICATION NO. 207715		E-MAIL ADDRESS amilz@consumerslaw.com	
SIGNATURE OF FILING ATTORNEY OR PARTY ANDREW MILZ		DATE SUBMITTED Tuesday, February 22, 2022, 05:30 pm	

FINAL COPY (Approved by the Prothonotary Clerk)

FLITTER MILZ, P.C.

Cary L. Flitter (35047)

Andrew M. Milz (207715)

Jody T. López-Jacobs (320522)

450 N. Narberth Avenue, Suite 101

Narberth, PA 19072

(610) 822-0781

CAROLE OLECKNA

and

WILLIAM OLECKNA

Plaintiffs,

vs.

RADIUS HOLDINGS, LLC, f/k/a

RADIUS GLOBAL SOLUTIONS, LLC

Defendant.

**COURT OF COMMON PLEAS
PHILADELPHIA COUNTY**

CIVIL ACTION

NO.

Filed and Attested by the
Office of Judicial Records
22 FEB 2022 05:30 pm
S. RICE

TO THE DEFENDANTS:

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL & INFORMATION SERVICE:

Philadelphia Bar Association
One Reading Center
Philadelphia, PA 19107
(215) 238-1701

ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

SERVICIO DE REFERENCIA E INFORMACION LEGAL:

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Plaintiffs,

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Defendant.

**COURT OF COMMON PLEAS
PHILADELPHIA COUNTY**

CIVIL ACTION

NO.

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 (“FDCPA”).

2. The FDCPA prohibits debt collectors from engaging in abusive and unfair practices in the collection of a consumer debt, including communication with third parties in the effort to collect a debt.

3. Defendant was trying to collect an old debt from Carole Oleckna. To pressure Carole, Defendant improperly sent a letter about the debt to her son, Plaintiff, William Oleckna, at his place of business to the great emotional distress of both mother and son.

4. Defendants are subject to strict liability for using collection tactics which violate the provisions of the FDCPA.

II. PARTIES

5. Plaintiff, Carole Oleckna, is an adult individual who resides in Haverford, Pennsylvania.

6. Plaintiff, William Oleckna, is an adult individual who resides in Lafayette Hill, Pennsylvania.

7. Carole is William's mother. The Olecknas are collectively referred to herein as "Plaintiffs."

8. Plaintiffs are "consumers" as that term is contemplated under the FDCPA, 15 U.S.C. § 1692a(3).

9. Defendant Radius Holdings, LLC, f/k/a Radius Global Solutions, LLC ("Radius") is upon information and belief a Pennsylvania limited liability company with an office for the transaction of business located as captioned.

10. Defendant regularly engages in the collection of consumer debts by use of the mail and telephone.

11. Defendant regularly attempts to collect debts alleged to be due another.

12. Defendant is a "debt collector" as that term is contemplated in the FDCPA, 15 U.S.C. § 1692a(6).

III. STATEMENT OF CLAIM

13. Carole Oleckna is a consumer who had an alleged credit card debt to Citibank incurred for personal, family, and household use.

14. On or around August 21, 2021, attorney Robert M. Reibstein contacted the creditor Citibank stating he represented Ms. Oleckna and informed the credit card company she would be unable to repay her credit card debt due to financial hardship.

15. At some point thereafter, Citibank assigned the debt for collections to Defendant Radius, a third-party debt collector.

16. On or about October 18, 2021 Defendant Radius sent a collection letter – not to Ms. Oleckna – but to her adult son, William Oleckna, at his place of business in Philadelphia.

17. The letter was processed by William’s employer’s mail room, and exposed personal, private, financial information of Carole’s to William’s co-workers and staff, causing both Plaintiffs great embarrassment and distress.

18. The letter from Defendant Radius incorrectly stated William Oleckna represented Carole Oleckna.

19. William Oleckna never informed Citibank or Defendant Radius he represented Carole Oleckna regarding her outstanding debts.

20. The FDCPA prohibits debt collectors from contacting third parties in connection with a debt claimed due. 15 U.S.C. §1692b, c(b).

21. Defendant Radius impermissibly contacted Carole Oleckna’s adult son regarding the alleged account in violation of the FDCPA.

22. Radius’ conduct was harassing, oppressive, and abusive in violation of the FDCPA, 15 U.S.C. §1692d.

COUNT I – FAIR DEBT COLLECTION PRACTICES ACT

23. Plaintiffs repeat the allegations contained above as if the same were here set forth at length.

24. The acts by Defendant described above violate the Fair Debt Collection Practices Act, in the following ways:

(a) By communicating with third parties, in violation of 15 U.S.C. § 1692b & 1692c;

(c) By engaging in conduct the nature and consequence of which is to harass, oppress, and abuse any person in connection with the collection of a debt, in violation of 15 U.S.C. § 1692d.

WHEREFORE, Plaintiffs Carole Oleckna and William Oleckna demand judgment against Defendant Radius Holdings, LLC, f/k/a Radius Global Solutions, LLC for:

- (a) Damages;
- (b) Attorney's fees and costs;
- (c) Such other and further relief as the Court shall deem just and proper.

COUNT II – INVASION OF PRIVACY

25. Plaintiffs repeat the allegations contained above as if the same were here set forth at length.

26. Defendant, through its conduct, intentionally invaded the Plaintiffs' privacy.

27. Defendant's tactic of exposing personal financial collections is highly offensive to a reasonable person.

28. Defendant intentionally intruded upon Plaintiffs' solitude and seclusion.

29. As a result of Defendant's action or inaction, Plaintiffs have been damaged.

30. Defendant has caused emotional harm and distress, embarrassment, humiliation, and other losses.

31. Defendant's conduct was harassing, aggravating and highly intrusive.

WHEREFORE, Plaintiffs Carole Oleckna and William Oleckna demand judgment against Defendant Radius Holdings, LLC, f/k/a Radius Global Solutions, LLC for:

- (a) Damages;
- (b) Punitive damages;
- (c) Such other and further relief as the Court shall deem just and proper.

IV. DEMAND FOR JURY TRIAL

Plaintiffs demand a trial by jury as to all issues so triable.

Respectfully submitted:

Date: February 22, 2022

/s/ Andrew M. Milz

CARY L. FLITTER
ANDREW M. MILZ
JODY T. LÓPEZ-JACOBS

FLITTER MILZ, P.C.
450 N. Narberth Avenue, Suite 101
Narberth, PA 19072
(610) 668-0018

Attorneys for Plaintiffs

VERIFICATION

We, Carole Oleckna and/or William Oleckna, do hereby state that the statements contained in the Plaintiffs' Complaint are true and correct to the best of our knowledge, information, and belief. We make these statements with the knowledge that the statements contained herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

Date: February 22, 2022



CAROLE OLECKNA

Date: February 22, 2022



WILLIAM OLECKNA